

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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Date of decision: 30.05.2017

CRM M 15400 of 2015

Parminder Kaur *Petitioner*

Versus

UT of Chandigarh and another *Respondents*

CRM M 6473 of 2017

Gurminder Singh and others *Petitioners*

Versus

UT of Chandigarh and another *Respondents*

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Gurpreet Singh, Advocate
for the petitioner (CRM M 15400 of 2015)

Mr. Narinder Singh Pawar, Advocate
for the petitioners (CRM M 6473 of 2017)

Mr. A S Virk, APP for UT Chandigarh

Kalyan Kaur respondent No. 2 in person

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Rekha Mittal, J.

This order shall dispose of both the aforesaid petitions as these
have emerged out of the same FIR.

Through the present petitions filed under Section 482 of the
Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed
for quashing of FIR No. 50 dated 10.02.2014 for offence punishable under

Sections 406 and 498-A of the Indian Penal Code (in short, 'IPC') registered with Police Station Sector 17, Chandigarh and proceedings emanating therefrom on the basis of compromise arrived at between the parties.

In the present case, the matrimonial dispute between petitioner-Gurminder Singh and respondent No. 2/complainant, led to filing of aforesaid FIR against the petitioners. Gurminder Singh is the husband, Parminder Kaur is the sister-in-law and Bhupinder Singh is the father-in-law of the complainant. As per respondent No. 2, dispute between her, her husband and his family members has been settled by way of compromise and she has got no objection if the aforesaid FIR and proceedings emanating therefrom are quashed against petitioners namely Gurminder Singh, Bhupinder and Parminder Kaur. She appeared in person and got recorded her statement in the Court, which reads as under:-

“I recorded my statement before the Court below at Chandigarh on 15.03.2017. Dispute between me, my husband and his family members has been settled by way of compromise. I have got no objection if the proceedings initiated at my instance by lodging FIR No. 50 dated 10.02.2014 for offence punishable under Sections 406 and 498-A of the Indian Penal Code registered with Police Station 17, Chandigarh are quashed against Gurminder Singh, Bhupinder Singh and Parminder Kaur. I am working as a Steno-typist in the Punjab Civil Secretariat, Chandigarh. I have brought my original identity card and produced a copy thereof.”

A report has been received from the Judicial Magistrate Ist Class, Chandigarh that compromise arrived at between the parties seems to be genuine, voluntary and without any coercion or undue influence.

There is no representation on behalf of respondent No. 1 - UT Chandigarh.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012(4) R.C.R. (Criminal) 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petitions are allowed and FIR No. 50 dated 10.02.2014 for offence punishable under Sections 406 and 498-A IPC registered with Police Station Sector 17, Chandigarh and proceedings emanating therefrom on the basis of compromise stand quashed qua petitioners namely Gurminder Singh, Bhupinder Singh and Parminder Kaur. The parties shall remain bound by the terms and conditions of compromise.

(Rekha Mittal)
Judge

30.05.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No

